

# Name Change Brochure

## **Introduction**

A person is free to adopt and use any name that he/she sees fit so long as it is not done for any fraudulent purpose and does not infringe upon the rights of others.

A person cannot change one's name to avoid family responsibilities, to evade creditors, to aid a fugitive from justice, to avoid paying taxes, to intentionally injure or embarrass another person, or to unfairly compete in business or a profession. If an adult requesting a change of name is under the jurisdiction of the State of Washington's Department of Corrections, notice must be served on the D.O.C. prior to the hearing.

A parent or legal guardian of a minor child can petition the Court to change the name of that minor child or ward. The Court must find that such a change of name is in the best interest of the minor child or ward to grant such a petition. Notice must be given to the natural parent(s) of said child of the request for change of name.

If a person whose name is to be changed (whether an adult or minor) is required to register his/her address as a sex offender, notice must be given to the Lewis County Sheriff and the Washington State Patrol.

## **Where to File**

A document, called a "Petition for Change of Name", must be filed in the District Court of the county in which the person seeking the change of name lives. Lewis County District Court's hours are 8:00 a.m. until 5:00 p.m., Monday through Friday.

## **What to File**

1. If the person whose name is to be changed is ***18 YEARS OF AGE OR MORE:***

- ☐ a copy of picture identification of petitioner.
- ☐ a copy of the birth certificate of the petitioner.
- ☐ the original petition for change of name, completely filled out.
- ☐ a filing fee of \$83.00. (US)

Upon completion of all filing requirements, the clerk will set this matter for hearing two Thursdays after the completion of filing, at 9:30 a.m... You will be given a notice containing the date and time. Although the actual time to complete your hearing is minimal, you will have to wait your turn. Be early, but plan on at least one hour.

The court clerk is ***required by law*** to ask you if you are under the supervision of the Washington State Department of Corrections.

☐ ***If you are under the jurisdiction of the Department of Corrections***, a copy of the petition and of the summons must be served on the DOC.

If you are under the supervision of the DOC, you must cause a copy of the petition and summons to be sent by certified mail, return receipt requested at least twenty-two days prior to the date set for the hearing. You must file an Affidavit of Service form including your proof of mailing and DOC's receipt with the court on your hearing date. Your hearing will be set five Thursdays after completion of filing, at 9:30 a.m. Be early, but plan on it taking up to an hour before your case will be called.

The court clerk is ***required by law*** to ask you if the person whose name is to be changed is required to register as a sex offender.

☐ ***If the person whose name is to be changed, whether an adult or a minor, is required to register as a sex offender, the*** person seeking the name change must serve a copy of the petition and summons on both the Lewis County Sheriff and the Washington State Patrol at least seven (7) court days before the date set for hearing. The petitioner must provide proof of such service by filing with the court a completed Affidavit of Service form. If such proof of service is not provided, the petition for change of name cannot be granted. If the petition for name change is granted, a copy of the order changing name must be served on the Lewis County Sheriff and on the Washington State Patrol within five (5) days of the date of the entry of the order.

**2. If the person whose name is to be changed is *UNDER 18 YEARS OF AGE*:**

- ☐ a copy of the picture identification of the petitioner.
- ☐ a copy of the picture identification of the child, if any.
- ☐ a copy of the child's birth certificate
- ☐ the original petition filled out completely with the signatures of both birth parents
- or**
- ☐ the original written consents of each natural parent to the name change
- or**
- ☐ a written declaration by the petitioner, under penalty of perjury, as to why the consent of the natural parent(s) should not be required **and** the original summons and notice of hearing to the non-consenting birth parent(s).
- ☐ a copy of the court order that places the custody of the minor with the petitioner.
- ☐ a filing fee of \$83.00 (US) **and**

**3. If the person whose name is to be changed is *UNDER 18 BUT OVER 14 YEARS OF AGE*:**

- ☐ the original written consent of the minor to the change of name.

All the forms required are available from the District Court Clerk. Upon completion of all filing requirements, the clerk will set the petition for a court hearing. If both parents consent to the change of name it will be set two Thursdays after the date of completion of filing, at 9:30 a.m.. If the summons and petition must be served on a non-consenting parent, the matter will be set for hearing five Thursdays after the completion of filing to allow adequate time for service and response, at 9:30 a.m.. The clerk will give you a Court Appointment form with the date and time.

**4. Costs**

A filing fee of \$83.00 must be paid to the Court at the time of filing the petition. The order changing the name is recorded with the County Auditor. An additional \$48.00 in fees (\$10.00 admin fee, \$5.00-one certified copy of order, \$33.00 auditor fee- **2 page order**) must be paid if the Court signs the order for change of name.

The Court will provide you with one certified copy of the "Order Changing Name". The cost of that is included in the sum set forth above. Additional certified copies cost \$5.00 each.

## **5. Hearings and Court Room Procedures**

Petitions for change of name are heard each Thursday at 9:30 a.m. in the presiding department of the District Court. All persons over the age of 14 years whose names are to be changed must be present. Those under 14 years of age are welcome, but need not be present.

When the Judge calls your case, come to the front of the Courtroom. The Judge will ask you some questions in order to determine if the petition should be granted. If the Judge allows the name change, you will return with the file to the Clerk's counter, pay the recording fees, and receive the certified copy.

## **6. Felony Criminal Convictions**

If you have been convicted of a felony crime, and are under the supervision of the state Department of Corrections, the Court will not grant the petition to change your name unless you prove that you have mailed a copy of the summons and petition to the DOC at least twenty-two (22) days before the hearing, and the Court finds that changing your name will not interfere with legitimate penological interests. (RCW 4.24.130(2))

## **7. Registered Sex Offenders**

If the person whose name is to be changed is required to register as a sex offender with state and local law enforcement, the Court will not grant the petition to change that person's name unless it is proven that a copy of the summons and petition have been served on both the Lewis County Sheriff's Office and the Washington State Patrol at least seven (7) court days prior to the date set for hearing, and that the changing of the name does not interfere with legitimate law enforcement interests. The person who receives an order changing the name of a person required to register as a sex offender must submit a copy of the order to the county sheriff of the county in which they reside and to the Washington State Patrol within five working days of the entry of the order.

## **8. Required Notification to Other Agencies**

If the person whose name has been changed was born in the State of Washington, the Department of Vital Records requires notice of the order changing the person's name. You must mail a certified copy to: Washington Department of Vital Records, PO Box 9709 ET-14, Olympia, WA. 98504-9709. It is suggested that you request a copy of the birth certificate reflecting the name change. This will require a check for \$17.00 and a self addressed stamped envelope.

If you are merely reverting to a maiden name after a divorce, there is no need to change your name with the Department of Vital Records.

The Social Security Administration requires you to provide them with a certified copy of the order changing your name. The local office is located at 1821 Cooks Hill Rd., Suite 100, Centralia, WA 98531.

If the person whose name has been changed holds a driver's license, the Department of Licensing requires a certified copy of the court order be sent to them in order to issue a new drivers' license.

If the person whose name has been changed is in military service, an additional certified copy is necessary to be provided for military records.